REMARKS

The above-captioned patent application has been carefully reviewed in light of the Non-final Office Action to which this Amendment is responsive. Claims 1 and 35 have been amended in an effort to more clearly define and particularly point out that which is regarded as the present invention. To that end, it is believed that no new matter has been added to the above-captioned application.

Claims 1-11, 23-27 and 31-34 are currently pending in the above-captioned application. The pending claims have been rejected under each of the written description and the enablement and written description portions of 35 USC §112, first paragraph. Applicant respectfully requests reconsideration based on the amended claims, as well as the following discussion.

With regard to the Section 112, written description rejection, Applicant has now amended each of the independent Claims 1 and 35 to remove the previously added limitation that "the shrunk cell components are make smaller but are not functionally destroyed by said cell shrinkage agent" to that of" the shrunk cell components being made smaller by said cell shrinkage reagent". Since it is only the foregoing passage that the Examiner has objected to by way of this rejection, it is believed this rejection should now be withdrawn.

With regard to the Section 112 enablement rejection, Applicant respectfully traverses the Examiner's arguments, as follows:

The present concept of adding a cell shrinkage reagent in a biosensor permits cell components to shrink by contact with the reagent wherein the components can penetrate a chromatographic carrier efficiently and sufficiently without adding a development solution. The cells shrink by means of osmotic pressure under a condition in which a substance that can pass through each cell membrane is in high concentration, thereby utilizing the property of membrane equilibrium of the cell. Therefore, the cell shrinkage reagent is preferably a substance that can have the effect

of making the cells shrink by means of osmotic pressure; such as, for example, an inorganic salt, an amino acid, saccharide or the like, the reagent being used on a dry analytical element and in which the concentration of the cell shrinkage reagent is 0.05-0.3M. As a result, there is no need to previously perform an operation of elementary hemocyte components in the whole blood.

For purposes of description, Applicant has herein defined and enabled the cell shrinkage reagent for use in the biosensor and has further defined the concentration of the reagent for purposes of the present invention. See, for example, page 21 of the present specification.

It is not believed that the Examiner should require a specific pore size for the material used herein. As described herein, the biosensor includes a cell shrinkage reagent holding area on a porous material such as nitrocellulose, see page 24, or glass fiber filter paper. More particularly, it seems the Examiner has entirely ignored the specific two (2) working examples relating to the operation of the herein described biosensor, that are discussed at pages 31-43 of the present application. In reference to same, permeability is discussed in even greater detail at pages 34 and 35 and pages 40 and 41, respectively, by way of each of two foregoing examples with further reference to Figures 9 and 10 indicating rates of solution penetration on to the reaction layer with variations in cell shrinkage reagent according to the design of Figure 1. The Examiner is respectfully requested to review these portions of the present specific item with regard to enablement of the present invention.

As a result of this discussion, it is believed that Applicant has provided sufficient and clear enablement for one of sufficient skill in the field of the invention to make and use the invention, as claimed herein. Therefore, reconsideration is respectfully requested.

In summary, it is believed the above-captioned patent application is in an allowable condition and an expedited Notice of Allowability is earnestly solicited.

If the Examiner wishes to expedite disposition of the above-captioned patent application, he is invited to contact Applicant's representative at the telephone number below.

Applicant believes no fee is due with this response. However, if additional fees are due, please charge our Deposit Account No. 50-0289, under Order No. 967_026RCE from which the undersigned is authorized to draw.

Dated: April 19, 2007

Respectfully submitted,

By _____

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